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Attorneys for Defendant Maximilian Resources LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PACIFIC ENERGY & MINING COMPANY,
a Nevada Corporation,

Plaintiff,

vs.

MAXIMILIAN RESOURCES LLC,
a Delaware Limited Liability Company,

Defendant.

Case No.: 3:17-cv-00363-HDM-CBC

**ORDER GRANTING STIPULATION
TO EXTEND TIME FOR DEFENDANT
TO RESPOND TO THE MOTION FOR
SUMMARY JUDGMENT [DOC. 61]
(FOURTH REQUEST) AND THE
MOTION TO DISMISS COUNTER
CLAIMS [DOC. 69]
(THIRD REQUEST)**

WHEREAS, Plaintiff Pacific Energy and Mining Company (“**Pacific**”) commenced this

1 action against Defendant Maximilian Resources, LLC (“**Maximilian**” and together with Pacific,
2 the “**Parties**”) by filing a Complaint for Declaratory Judgment (“**Plaintiff’s Complaint**”) on
3 June 9, 2017;

4 **WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue
5 summary judgment in its favor (the “**Summary Judgment Motion**”);

6 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
7 ordered by this Court, Maximilian’s current deadline to oppose the Summary Judgment Motion
8 is November 17, 2018 (the “**SJ Objection Deadline**”);

9 **WHEREAS**, on July 2, 2018, Maximilian filed an answer to Plaintiff’s Complaint and
10 asserted certain counter-claims against Pacific;

11 **WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian counter-
12 complaint (the “**Motion to Dismiss**”);

13 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
14 ordered by this Court, Maximilian’s current deadline to oppose the Motion to Dismiss is
15 November 17, 2018 (the “**Motion to Dismiss Objection Deadline**”);

16 **WHEREAS**, the Parties are engaged in settlement discussions regarding the issue raised
17 herein and numerous other issues involving multiple parties located in multiple locations;

18 **WHEREAS**, while the Parties continue to earnestly pursue settlement discussions, they
19 wish to (i) avoid the cost and expense of litigating the Summary Judgment Motion and the
20 Motion to Dismiss and (ii) preserve this Court’s resources given the recent progress in
21 negotiations wherein the Parties believe they have agreed upon certain of the material elements of a
22 global settlement;

23 **WHEREAS**, the Parties agree that adjourning the SJ Objection Deadline and the Motion
24 to Dismiss Objection Deadline is in their best interests and further the goal of judicial economy;

25 **NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and
26 covenants herein, and other considerations, the reasonableness of which is hereby acknowledged,
27 the Parties hereto agree as follows:
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1 1. The Parties hereby agree that the Objection Deadline to the Summary Judgement Motion
2 is extended through and including January 4, 2019.

3 2. The Parties hereby agree that the Objection Deadline to the Motion to Dismiss is
4 extended through and including January 4, 2019.

7 DATED this 8th day of November, 2018.

DATED this 5th day of November, 2018.

8 LEVERTY & ASSOCIATES LAW CHTD.

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

9 /s/ Patrick Leverty

/s/ Samuel A. Schwartz

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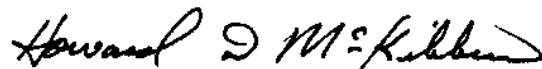
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New York, New York 10169

Attorneys for Defendant

Maximilian Resources, LLC

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19 **IT IS SO ORDERED.**



21
22 SENIOR U.S. DISTRICT JUDGE

23 DATED: November 8, 2018
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